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October 29, 2024

**VIA ECF**Magistrate Judge Peggy Kuo  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201**Re: *State Farm Mut. Auto. Ins. Co. v. Metro Pain Specialists P.C.*, 21-cv-5523 (E.D.N.Y.) –  
Update re Nazar Burak Compliance with Non-Party Subpoena**

Dear Judge Kuo:

Pursuant to this Court's Text Order entered October 16, 2024 (the "Order"), Plaintiffs State Farm Mutual Automobile Insurance Company and State Farm Fire and Casualty Company (collectively, "Plaintiffs") respectfully write to update the Court on the status of non-party Nazar Burak's responses to Plaintiffs' subpoenas *duces tecum* and *ad testificandum*, which are presently before the Court on Plaintiffs' motion to compel (*see* Dkt. 616).

As background, on September 18, 2024, Plaintiffs moved to compel Burak's compliance with the subpoenas. Dkt. 616. On September 26, Burak, through his counsel, submitted a letter to the Court representing he would provide Plaintiffs a complete response to the subpoenas by October 11, which the Court so ordered. On October 11, Burak produced some but not all documents, and failed to serve written responses to the subpoena requests. On October 15, Plaintiffs filed a letter advising the Court on the status of Burak's compliance and requesting additional time for Burak to comply (Dkt. 622). The Court then filed the Order directing Burak to provide Plaintiffs with outstanding records and written responses to the subpoena by October 25, and directing Plaintiffs to file a letter by October 29 indicating whether Burak had complied with the Order. This letter follows.

On October 25, Burak produced additional responsive documents and written responses to the subpoena *duces tecum*. The parties met and conferred to address potential issues on October 29. During the meet and confer, counsel for Burak confirmed (1) Burak is not withholding any responsive documents or communications pursuant to any objection; (2) Burak has produced all responsive documents and communications in his possession, custody, and control; and (3) Burak would serve amended written responses addressing certain deficiencies. Following the meet and confer, Burak served amended responses.

Based on the above representations and the amended responses, Plaintiffs' issues regarding the subpoena *duces tecum* are resolved. Burak has also advised he is available to appear for deposition on December 18, and the issues regarding the subpoena *ad testificandum* are thus also resolved.

Respectfully submitted,

/s/ Christopher T. Cook

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